



Notice of Price Agreement Award

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Printed: 8/19/2004

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CAPITOL HILL
PROVIDENCE RI 02908

V E N D O R	PROCESS ENGINEERS & CONSTRUCTORS INC 159 KNIGHT ST WARWICK RI 02886	STEAMFITTER WORK (MPA 199)	
		Award Number 68M00310209	Effective Period: 8/1/04 - 5/31/07

S H I P T O	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA	Date: 08/16/2004 Buyer: JOHN O'HARA Shipping: F.O.B., Destination Terms: Net 30	I N V O I C E	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA

Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-199	B03769
Item		Unit	Unit Price
	<p>8/1/04 - 5/31/07</p> <p>MASTER PRICE AGREEMENT #199</p> <p>THIS IS A NOTICE OF AWARD, NOT AN ORDER. Any quantity reference in the agreement or in the bid preceding it are estimates only and do not represent a commitment on the part of the state to any level of billing activity, other than for quantities or volumes specifically released during the term. No action is to be taken except as specifically authorized, as described herein under AUTHORIZATION AND RELEASE.</p> <p>ENTIRE AGREEMENT - This NOTICE OF AWARD, with all attachments, and any release(s) against it shall be subject to: (1) the specifications, terms and conditions set forth in the Request/Bid Number cited herein, (2) the General Terms and Conditions of Contracts for the State of Rhode Island and (3) all provisions of, and the Rules and Regulations promulgated pursuant to, Title 37, Chapter 2 of the General Laws of the State of Rhode Island. This NOTICE shall constitute the entire agreement between the State of Rhode Island and the Vendor. No assignment of rights or responsibility will be permitted except with the express written permission of the State Purchasing Agent or his designee.</p> <p>CANCELLATION, TERMINATION and EXTENSION - This Price Agreement shall automatically terminate as of the date(s) described under CONTRACT PERIOD unless this Price Agreement is altered by formal amendment by the State Purchasing Agent or his designee upon mutual agreement between the State and the Vendor.</p> <p>AUTHORIZATION AND RELEASE. In no event shall the Vendor deliver goods or provide service until such time as a duly authorized release document is certified by the ordering Agency.</p> <p>A Direct Purchase Order (DPO) shall be created by the agency listing the items ordered, using the pricing and format set forth in the Master Blanket. All pricing shall be as described in the Master Blanket and is considered to be fixed and firm for the term of the Agreement, unless specifically noted to the contrary herein. All prices include prepaid freight. Freight, taxes, surcharges, or other additional charges will not be honored unless reflected in Master Blanket.</p>		

This Notice of Award/Purchase Order is issued in accordance with the specific requirements described herein and the State's Purchasing Regulations and General Conditions of Purchase, copies of which are available at www.purchasing.state.ri.us. Delivery of goods or services as described herein shall be deemed acceptance of these requirements.

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STATE PURCHASING AGENT/DESIGNEE



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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-199	B03769
Item		Unit	Unit Price
	<p>ANNUAL RENEWAL INSURANCE CERTIFICATES FOR WORKERS' COMPENSATION, PUBLIC LIABILITY, PROPERTY DAMAGE INSURANCE, AUTO INSURANCE, PROFESSIONAL LIABILITY INSURANCE (AKA ERRORS & OMISSIONS), BUILDER'S RISK INSURANCE, SCHOOL BUSING AUTO LIABILITY, ENVIRONMENTAL IMPAIRMENT (AKA POLLUTION CONTROL), VESSEL OPERATION (MARINE OR AIRCRAFT) PROTECTION & INDEMNITY, ETC., MUST BE SUBMITTED TO THE SPECIFIC AGENCY IDENTIFIED IN THE "BILL TO" SECTION OF THE PURCHASE ORDER. CERTIFICATES ARE ANNUALLY DUE PRIOR TO THE BEGINNING OF ANY CONTRACT PERIOD BEYOND THE INITIAL TWELVE-MONTH PERIOD OF A CONTRACT. FAILURE TO PROVIDE ANNUAL INSURANCE CERTIFICATION MAY BE GROUNDS FOR CANCELLATION.</p> <p>IN NO EVENT WILL ANY INDIVIDUAL WORK ORDER EXCEED \$5,000.00 WITHOUT PRIOR APPROVAL OF THE DIVISION OF PURCHASES.</p> <p>VENDOR IS ADVISED THAT ALL PROVISIONS OF TITLE 37 CHAPTER 13 OF THE GENERAL LAWS OF RHODE ISLAND APPLY TO THE WORK COVERED BY THIS REQUEST, AND THAT PAYMENT OF THE GENERAL PREVAILING RATE OF PER DIEM WAGES AND THE GENERAL PREVAILING RATE FOR REGULAR, OVERTIME, AND OTHER WORKING CONDITIONS EXISTING IN THE LOCALITY FOR EACH CRAFT, MECHANIC, TEAMSTER, OR TYPE OF WORKMAN NEEDED TO EXECUTE THIS WORK IS A REQUIREMENT FOR BOTH CONTRACTORS AND SUBCONTRACTORS.</p> <p>EVERY PERSON OR BUSINESS ENTITY PROVIDING GOODS OR SERVICES AT A COST OF \$5000 CUMULATED VALUE IS REQUIRED TO FILE AN AFFIDAVIT REGARDING POLITICAL CAMPAIGN CONTRIBUTIONS WITH THE RI STATE BOARD OF ELECTIONS EVEN IF NO REPORTABLE CAMPAIGN CONTRIBUTIONS HAVE BEEN MADE. (RI GENERAL LAW 17-27) FORMS OBTAINED AT BOARD OF ELECTIONS, CAMPAIGN FINANCE DIVISION, 50 BRANCH AVENUE, PROVIDENCE, RI 02904 (401-222-2056).</p> <p>STATEWIDE APPLICABILITY - Political Subdivisions (cities, towns, schools, quasi-public agencies), as authorized by law, may participate in this Agreement. All ordering and billing shall be between the vendor and the political subdivision (only).</p>		

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-199	B03769
Item		Unit	Unit Price
	<p>VENDOR IS RESPONSIBLE TO COMPLY WITH ALL LICENSING OR STATE PERMITS REQUIRED FOR THIS TYPE OF SERVICE. IN ADDITION TO THESE LICENSE REQUIREMENTS, VENDOR, BY SUBMISSION OF THE BID, CERTIFIES THAT ANY/ALL WORK RELATED TO THE BID, AND ANY SUBSEQUENT AWARD WHICH REQUIRES A RHODE ISLAND LICENSE(S), SHALL BE PERFORMED BY AN INDIVIDUAL(S) HOLDING A VALID RHODE ISLAND LICENSE.</p> <p>THIS IS A MULTI-YEAR BID/CONTRACT. PER RHODE ISLAND STATE LAW 37-2-33, CONTRACT OBLIGATIONS BEYOND THE CURRENT FISCAL YEAR ARE SUBJECT TO AVAILABILITY OF FUNDS. CONTINUATION OF THE CONTRACT BEYOND THE INITIAL FISCAL YEAR WILL BE AT THE DISCRETION OF THE STATE. TERMINATION MAY BE EFFECTED BY THE STATE BASED UPON DETERMINING FACTORS SUCH AS UNSATISFACTORY PERFORMANCE OR THE DETERMINATION BY THE STATE TO DISCONTINUE THE GOODS/SERVICES, OR TO REVISE THE SCOPE AND NEED FOR THE TYPE OF GOODS/SERVICES; ALSO MANAGEMENT OWNER DETERMINATIONS THAT MAY PRECLUDE THE NEED FOR GOODS/SERVICES.</p> <p>REPORTS - The Vendor agrees to provide the State with quarterly reports describing activity against this Price Agreement. If this is a Master Price Agreement, such reports shall include usage by municipalities, quasi-public agencies, schools, etc. All reports shall contain the following data: (1) Billing volume in dollars and (2) quantity shipped for each line item in the price agreement. When there are no line items in the price agreement, vendor shall report volume by catalog order numbers, with a brief description of each order number.</p> <p>Reports must be submitted to the RI Division of Purchases to the attention BUYER named in this notice, identifying the Agreement number and the Reporting Period. Quarterly reports shall be due 45 calendar days after the end of each quarter. Failure to submit required reports shall be considered a breach of the contractor's obligations and may be considered, at the discretion of the State Purchasing Agent, sufficient cause for the termination of the agreement and other outstanding agreements and orders, and possible suspension from participation in additional State procurements.</p> <p>THIS PURCHASE ORDER IS AWARDED SUBJECT TO EQUAL OPPORTUNITY COMPLIANCE</p>		

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-199	B03769
Item		Unit	Unit Price
	<p>NOTE: AGENCIES UTILIZING THIS MPA ARE REQUIRED TO UTILIZE THE LOWEST PRICE FIRM ABLE TO MEET THE REQUESTED REPAIR SCHEDULE OR URGENCY OF REPAIR. NOT WITHSTANDING THE VARIOUS HOURLY RATES, THE AGENCY (S) MAY SOLICIT ESTIMATES FOR THE WORK FROM THE FIRMS LISTED AND MAKE AN AWARD TO THE LOWEST ESTIMATE FOR TIMELY REPAIRS. ALL VENDOR BILLINGS MUST BE IN ACCORDANCE WITH MPA PRICING (NOT LUMP SUM).</p> <p>NO CHARGES OTHER THAN PARTS AND LABOR ON THE JOB. NO TRAVEL, NO MILEAGE, NO MISCELLANEOUS CHARGES AND NO PORTAL TO PORTAL.</p> <p>JOB WILL BE STAFFED BY PERSONNEL WHO POSSESS APPROPRIATE LICENSING AND CERTIFICATION FOR THE TASK BEING PERFORMED. THESE LICENSES WILL BE AVAILABLE AT THE JOB SITE.</p> <p>SERVICES FOR THE STATE AGENCIES ARE ON A "24-HOUR CALL - 7 DAYS/WEEK" BASIS AND AS MAY BE REQUIRED. ONLY FIXED HOURLY FLAT RATES AS INDICATED IN THIS NOTICE WILL BE ALLOWED AS QUOTED, AND WILL INCLUDE ADMINISTRATIVE AND GENERAL EXPENSES, INCLUDING PROFIT ALLOWANCE, OVERHEAD, TRAVEL, TRANSPORTATION, ADMINISTRATIVE, ETC.</p> <p>PAYMENT FOR SERVICES WILL BE MADE BASED UPON INVOICES SUBMITTED THAT MUST SHOW THE NUMBER OF HOURS WORKED AT THE QUOTED FLAT HOURLY RATE, PLUS COST OF MATERIALS APPROVED BY THE AGENCY. SERVICEMEN AND/OR TRADESMEN MUST CHECK WITH THE AGENCY PRIOR TO START OF WORK AND UPON COMPLETION FOR TIME VERIFICATION.</p> <p>VERY IMPORTANT NOTICE - SERVICE CALLS</p> <p>THE AGENCY REQUESTING THE SERVICE CALL MUST EXPLAIN THE BASIC PROBLEM TO THE VENDOR. DEPENDING ON THE EXTENT AND NATURE OF THE CALL, THE VENDOR MAY NEED TO SEND ONE (1) SERVICEMAN. IF NECESSARY, THE VENDOR MUST ADVISE THE AGENCY AND EXPLAIN, IN ADVANCE, WHY A HELPER IS NEEDED.</p>		

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ADMINISTRATION		MPA-199	B03769
Item		Unit	Unit Price
	<p>THE VENDOR MUST NOT SEND TWO (2) PEOPLE AS A MATTER OF ROUTINE. THE AGENCY MUST BE ADVISED AND MUST APPROVE, IN ADVANCE, IF MORE THAN ONE PERSON IS NECESSARY.</p> <p>HOURLY RATES TO REFLECT THE NET COST OF LABOR. NO ADDITIONAL CHARGE FOR TRAVEL, MILEAGE, ETC., WILL BE PERMITTED.</p> <p>PROJECT MANAGER WILL MEET AT THE AGENCY TO REVIEW THE SCOPE OF WORK AND THE PROJECT MANAGER WILL DIRECT THE CREW TO ACCOMPLISH THE SCOPE OF WORK.</p> <p>VENDOR WILL RESPOND WITH ALL NECESSARY TOOLS TO COMPLETE THE JOB.</p> <p>THE TITLE FOR STATEWIDE PREVAILING WAGE RATE FOR THIS WORK IS: SPRINKLER FITTERS AND PLUMBERS.</p> <p>SERVICES AS REQUESTED BY AGENCY. INVOICE MONTHLY AT END OF MONTH AND FORWARD TO RECEIVING AGENCY. ANY UNUSED BALANCE AT THE END OF FISCAL YEAR WILL AUTOMATICALLY BE CANCELLED.</p> <p>PROVIDE STEAMFITTINGS, PIPING, AND ASSOCIATED SERVICES INCLUDING CERTIFIED WELDING FOR UNDERGROUND AND OTHER HIGH PRESSURE STEAM SYSTEMS.</p> <p>PROVIDE MISCELLANEOUS MATERIALS AS DESIGNATED BY THE AGENCY. VENDOR HAS THE FOLLOWING CERTIFICATION THROUGH A.S.M.E.</p> <p>"H" HEATING: ASSEMBLE AND "S" STEAM BOILERS, AS WELL AS CERTIFICATION THROUGH NATIONAL BOARD OF BOILER AND PRESSURE VESSELS INSPECTION. "R" REPAIRS AND SERVICE BEYOND FACILITIES AND MAINTENANCE PERSONNEL CAPABILITIES.</p>		

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Department			Bid Number	Requisition Number
ADMINISTRATION		MPA-199	B03769	
Item		Unit	Unit Price	
	STEAM LINE REPAIR SPECIFICATIONS: 1. CONSTRUCTION MUST BE COMPLETED WITHIN A PERIOD OF NO MORE THAN (3) THREE WORKDAYS UNDER NORMAL CIRCUMSTANCES; HOWEVER, EACH SITUATION WILL BE EVALUATED ON AN INDIVIDUAL BASIS. 2. VENDOR CONTRACTOR TO RESPOND WITHIN FOUR HOURS OF INITIAL NOTICE FROM OWNER AGENCY. 3. VENDOR CONTRACTOR ESTIMATES MAY BE REQUIRED ON A "NOT" TO EXCEED COST BASIS.			
1.0	HOURLY RATE FOR STEAMFITTER ON-SITE - 8/1/04 - 6/30/05	HR	73.00	
2.0	HOURLY RATE FOR STEAMFITTER ON-SITE - 7/1/05 - 6/30/06	HR	77.85	
3.0	HOURLY RATE FOR STEAMFITTER ON-SITE - 7/1/06 - 5/31/07	HR	82.00	
4.0	OVERTIME RATE FOR STEAMFITTER ON-SITE - 8/1/04 - 6/30/05	HR	101.50	
5.0	OVERTIME RATE FOR STEAMFITTER ON-SITE - 7/1/05 - 6/30/06	HR	107.70	
6.0	OVERTIME RATE FOR STEAMFITTER ON-SITE - 7/1/06 - 5/31/07	HR	113.85	
7.0	HOURLY RATE FOR HOLIDAYS AND SUNDAYS FOR STEAMFITTER ON-SITE 8/1/04 - 6/30/05	HR	129.25	

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PROCESS ENGINEERS & CONSTRUCTORS INC
159 KNIGHT ST
WARWICK RI 02886

STEAMFITTER WORK (MPA 199)

Award Number Effective Period:
68M00310209 **8/1/04 - 5/31/07**

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ADMINISTRATION
MASTER PRICE AGREEMENT
RELEASE AGAINST RI MPA

Date: 08/16/2004
Buyer: JOHN O'HARA
Shipping: F.O.B., Destination
Terms: Net 30

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ADMINISTRATION
MASTER PRICE AGREEMENT
RELEASE AGAINST RI MPA

Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-199	B03769
Item		Unit	Unit Price
8.0	HOURLY RATE FOR HOLIDAYS AND SUNDAYS FOR STEAMFITTER ON-SITE 7/1/05 - 6/30/06	HR	137.50
9.0	HOURLY RATE FOR HOLIDAYS AND SUNDAYS FOR STEAMFITTER ON-SITE 7/1/06 - 5/31/07	HR	145.75
10.0	HOURLY RATE FOR PLUMBER ON-SITE - 8/1/04 - 6/30/05	HR	73.00
11.0	HOURLY RATE FOR PLUMBER ON-SITE - 7/1/05 - 6/30/06	HR	77.85
12.0	HOURLY RATE FOR PLUMBER ON-SITE - 7/1/06 - 5/31/07	HR	82.00
13.0	OVERTIME RATE FOR PLUMBER ON-SITE - 8/1/04 - 6/30/05	HR	101.50
14.0	OVERTIME RATE FOR PLUMBER ON-SITE - 7/1/05 - 6/30/06	HR	107.70
15.0	OVERTIME RATE FOR PLUMBER ON-SITE - 7/1/06 - 5/31/07	HR	113.85
16.0	HOURLY RATE FOR HOLIDAYS AND SUNDAYS FOR PLUMBER ON-SITE 8/1/04 - 6/30/05	HR	129.25
17.0	HOURLY RATE FOR HOLIDAYS AND SUNDAYS FOR PLUMBER ON-SITE 7/1/05 - 6/30/06	HR	137.50

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PROCESS ENGINEERS & CONSTRUCTORS INC
159 KNIGHT ST
WARWICK RI 02886

STEAMFITTER WORK (MPA 199)

Award Number Effective Period:
68M00310209 **8/1/04 - 5/31/07**

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ADMINISTRATION
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RELEASE AGAINST RI MPA

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Buyer: JOHN O'HARA
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ADMINISTRATION
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Item		Unit	Unit Price
18.0	HOURLY RATE FOR HOLIDAYS AND SUNDAYS FOR PLUMBER ON-SITE 7/1/06 - 5/31/07	HR	145.75
19.0	HOURLY RATE FOR EQUIPMENT: DIGGER WITH OPERATOR ON-SITE 8/1/04 - 6/30/05	HR	102.50
20.0	HOURLY RATE FOR EQUIPMENT: DIGGER WITH OPERATOR ON-SITE 7/1/05 - 6/30/06	HR	105.10
21.0	HOURLY RATE FOR EQUIPMENT: DIGGER WITH OPERATOR ON-SITE 7/1/06 - 5/31/07	HR	107.75
22.0	OVERTIME RATE FOR EQUIPMENT: DIGGER WITH OPERATOR ON-SITE 8/1/04 - 6/30/05	HR	125.65
23.0	OVERTIME RATE FOR EQUIPMENT: DIGGER WITH OPERATOR ON-SITE 7/1/05 - 6/30/06	HR	128.75
24.0	OVERTIME RATE FOR EQUIPMENT: DIGGER WITH OPERATOR ON-SITE 7/1/06 - 5/31/07	HR	132.00
25.0	HOURLY RATE FOR HOLIDAYS AND SUNDAYS FOR EQUIPMENT: DIGGER WITH OPERATOR ON-SITE - 8/1/04 - 6/30/05	HR	149.00
26.0	HOURLY RATE FOR HOLIDAYS AND SUNDAYS FOR EQUIPMENT: DIGGER WITH OPERATOR ON-SITE - 7/1/05 - 6/30/06	HR	152.00
27.0	HOURLY RATE FOR HOLIDAYS AND SUNDAYS FOR EQUIPMENT: DIGGER WITH OPERATOR ON-SITE - 7/1/06 - 5/31/07	HR	156.75

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Item		Unit	Unit Price	
	15% DISCOUNT FROM MANUFACTURER LIST RI LICENSE NO. - STEAMFITTER: MPF3435 RI LICENSE NO. - PLUMBER: MPL2031 VENDOR MUST PRODUCE WELDING CERTIFICATION AND A.S.M.E. CERTIFICATION AS MAY BE REQUIRED BY THE AGENCY. RENEWAL OF THIS MPA #199 FOR A SECOND OR THIRD YEAR SHALL BE SOLELY AT THE DISCRETION OF THE STATE. WELDING CERTIFICATION AND A.S.M.E. CERTIFICATIONS AS MAY BE REQUIRED BY THE AGENCY. DELIVERY OF GOODS OR SERVICES AS REQUESTED BY AGENCY. PAYMENTS WILL BE AUTHORIZED UPON SUBMISSION OF PROPERLY RENDERED INVOICES TO THE RECEIVING AGENCY. ANY UNUSED BALANCE AT END OF BLANKET PERIOD IS AUTOMATICALLY CANCELLED. VENDOR TELEPHONE #: 401-732-1702 VENDOR FAX #: 401-732-5514			

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TERMS AND CONDITIONS OF PRICING AGREEMENT

SCOPE AND LIMITATIONS - This Agreement covers requirements as described herein, ordered by State agencies during the Agreement Period. No additional or alternative requirements are covered, unless added to the Agreement by formal amendment by the State Purchasing Agent or his designee.

Under State Purchasing Law, 37-2-54, "no purchase or contract shall be binding on the state or any agency thereof unless approved by the department [of administration] or made under general regulations which the chief purchasing officer may prescribe." Under State Purchasing Regulation 8.2.1.1.2, "any alleged oral agreement or arrangements made by a bidder or contractor with any agency or an employee of the Office of Purchases may be disregarded and shall not be binding on the state."

PRODUCT ACCEPTANCE - All merchandise offered or otherwise provided shall be new, of prime manufacture, and of first quality unless otherwise specified by the State. The State reserves the right to reject all nonconforming goods, and to cause their return for credit or replacement, at the State's option.

- a) Failure by the state to discover latent defect(s) or concealed damage or non-conformance shall not foreclose the State's right to subsequently reject the goods in question.
- b) Formal or informal acceptance by the State of non-conforming goods shall not constitute a precedent for successive receipts or procurements.

Where the vendor fails to cure the defect promptly or replace the goods, the State reserves the right to cancel the Release, contract with a different vendor, and to invoice the original vendor for any differential in price over the original contract price.

ORDER AUTHORIZATION AND RELEASE AGAINST PRICING AGREEMENT

In no event shall the Vendor deliver goods or provide service until such time as a duly authorized release document is certified by the ordering Agency.

State Agencies shall request release as follows: All releases shall reference the Price Agreement number, the Contract Issue number, the item(s) covered, and the unit pricing in the same format as described herein.

A Department Purchase Order (DPO) listing the items ordered shall be created by the agency. The agency may mail or fax a copy of the order to the Vendor. In some cases the agency may request delivery by telephone, but must provide the Vendor with a DPO Order Number reference for billing purposes. Vendors are encouraged to require written orders to assure payments are processed accurately and promptly.

DELIVERY – If this is an MPA, Vendor will obtain "ship to" information from each participating agency. This information will be contained in the DPO. APA delivery information will be contained in the Notice of Award.

PRICING - All pricing shall be as described herein, and is considered to be fixed and firm for the term of the Agreement, unless specifically noted to the contrary herein. All prices include prepaid freight. Freight, taxes, surcharges, or other additional charges will not be honored unless reflected herein.

INVOICING – All invoices shall reference the DPO Order Number(s), Price Agreement number, the Contract Issue number, the item(s) covered, and the unit pricing in the same format as described herein. If this is an MPA, Vendor will obtain "bill to" information from each participating agency. This information will be contained in the DPO. APA billing information will be contained in the Notice of Award.

PAYMENT - Invoices for items not received, not priced according to contract or for work not yet performed will not be honored. No payment will be processed to any vendor for whom there is no IRS W-9 on file with the State Controller.